

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION**


KEIRON KENNETH HOLMES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV419-135
	)	CV419-194
	)	
SGT. SHEARHOUSE, et al.,	)	
	)	
Defendants.	)	

**ORDER**

Plaintiff filed a complaint in Case No. CV419-194 on August 8, 2019. Doc. 1. However, this complaint appears to have been in response to a prior order of this Court in Case No. CV419-135 requiring plaintiff to file an amended complaint. Doc. 11. Rather than filing the complaint in that case, a new case was opened—possibly erroneously. Notably, letters from plaintiff have been filed in both cases and plaintiff has repeatedly attempted to amend his complaint piecemeal via letter. *See* Case No. CV419-135, doc. 16; Case No. CV419-194, doc. 16. Accordingly, plaintiff is **DIRECTED** to inform the Court within thirty days from the date of this Order whether he intends to pursue two separate cases—and if he does—he must file an amended complaint in

**each** case.<sup>1</sup> If he intends to pursue only one suit, he is **DIRECTED** to file a single amended complaint within thirty days from the date of this Order in Case No. CV419-135 **only**. Plaintiff, however, is advised that—regardless of which option he chooses—his amended complaint will supersede the original complaint and therefore must be complete in itself. *See Malowney v. Fed. Collection Deposit Grp.*, 193 F.3d 1342, 1345, 1345 n.1 (11th Cir. 1999) (“An amended complaint supersedes an original complaint”); *Varnes v. Local 91, Glass Bottle Blowers Ass’n of U.S. & Canada*, 674 F.2d 1365, 1370 n.6 (11th Cir. 1982) (“As a general rule, an amended complaint supersedes and replaces the original complaint unless the amendment specifically refers to or adopts the earlier pleading”).

**SO ORDERED**, this 14th day of November, 2019.

  
CHRISTOPHER L. RAY  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA

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<sup>1</sup> Plaintiff is warned, however, that if he chooses to pursue two separate suits fees will be assessed against him for **both** cases pursuant to 28 U.S.C. § 1915(b)(1).